

Governance 2-1

v1.0 Responsible Persons

Complaints Framework and Investigation Procedure

Prepared by	Company Secretary
Date ratified by Board	TBC
Monitored by	Board
Review by	Board
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Policy pertains to	Board members; Other Responsible Persons
NESA reference	RANGS Manual Sept. 2023 B2.1, 2, 3

Version History

Version	Date	Notes
1.0	March 2025	RANGS requirements update

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Important related documents:

- | | |
|---------------------------------------|---|
| 1-1 Board Charter | 2-5 Independent Audit Policy |
| 1-2 Board Code of Conduct | 2-6 Notification to NESAs Policy |
| 2-1 Responsible Persons Policy | 3-1 Compliance Framework |
| 2-2 Delegation Policy | 3-2 Risk Management Framework |
| 2-2a Delegation Protocol | 3-3 Financial Viability Framework Company |
| 2-3 Conflict of Interest Policy | 4-1 Deed of Access and Indemnity |
| 2-4 Related Party Transactions Policy | Constitution |

Relevant Legislation:

- Corporations Act 2001 (Cth)
- Education Act 1990 (NSW)
- Education and Teaching Legislation Amendment Act 2016 (NSW)

Other References:

- Registered & Accredited Individual Non-government Schools (NSW) Manual (RANGS), latest version
- AIS Governance Resource Manual, June, 2020
- Governance Institute of Australia
- Australian Charities and Not-for-profits Commission

1. INTRODUCTION

Melos Education Limited operates a number of entities that are governed by the same Board.

Melos Education Limited places a high value on good governance to assure a quality educational facility, and to provide a solid basis for future development. The appointment of 'responsible persons' to the management and operations of each school in the company who are fit and proper persons according to the requirements of the Education Act 1990 (NSW), is essential to establishing accountability in governance.

2. PURPOSE OF THIS DOCUMENT

This Complaints Framework relates to the **Governance 2-1 Responsible Persons Policy**.

The Board aims to apply a biblical lens to our operations, and therefore, is committed to handling complaints related to the conduct of a responsible person with integrity, fairness, and in accordance with biblical principles. This framework ensures that concerns raised by stakeholders are addressed respectfully, transparently, and in a manner that promotes reconciliation and justice.

This framework applies solely to complaints related to governance-level matters in which it is alleged that a responsible person may not be fit and proper for governance on the board for any reason. The policy might, therefore, respond to matters relating to:

- Board policies and decision-making
- Conduct of individual Board members and NESA Responsible Persons
- Ethical or procedural breaches within the operations of the Board
- Failure to uphold the Christian ethos of the entity, as evidenced by breach of existing governance policies

3. DEFINITIONS

Complainant: The individual or group submitting a complaint.

Respondent: The individual or entity against whom the complaint is made.

Board: The governing body responsible for overseeing MEL policies and resolving complaints.

Appeal: A formal request for a review of a complaint decision.

Resolution: The final outcome or decision on a complaint.

Responsible Person (RP): accountable for proper governance of their school, and for meeting the requirements set out in the (RANGS) Standards.

A responsible persona must act with reasonable care and diligence. Act honestly and fairly in the best interests of the charity and for its charitable purposes. Not misuse their position or information they gain as a RP. Under the Education Act 1990 (NSW) Responsible Persons of a school are defined as:

- The proprietor of the school, and if the proprietor is a corporation, each director or person concerned in the management of the school, or
- A member of the governing body of the school, or
- The Principal of the school, and
- Any other person or body exercising a function in relation to the management of the school, who reports directly to the Board.

The Board of Melos Education Ltd deems the Executive Principal, Executive Business Manager and each School Principal to be Responsible Persons.

Role of Responsible Person – Responsible Persons for non-government schools are accountable for proper governance of the school; and ensure policies and procedures are in place for proper governance consistent with properly accepted community norms for school governance.

4. GUIDING PRINCIPLES

The Board shall apply the following principles as it seeks to bring resolution to any complaint that it raised:

- **Biblical Approach:** Address conflicts with grace, truth, and a spirit of reconciliation (Matthew 18:15-17).
- **Fairness and Impartiality:** Complaints are handled objectively, without bias or favouritism.
- **Confidentiality:** The privacy of all parties involved will be protected as much as possible.
- **Timeliness:** Complaints will be addressed promptly and within a reasonable timeframe.
- **Accountability:** The Board and Responsible Persons remain accountable to uphold ethical and professional standards.

5. PROCEDURES

Should information be received by the Board or entity that a responsible person may not be fit and proper for governance on the board for any reason, the allegation shall be investigated according to the procedures of the company's Complaints Framework and Investigation Procedure.

5.1. Complaint Submission Process

- **Informal Resolution:** Complainants are encouraged to first address concerns directly with the with the relevant Board member(s) or NESA Responsible Person(s) if appropriate.
- **Formal Complaint:** If unresolved, a formal written complaint may be submitted to the Board Chair via the Company Secretary (secretary@melos.education). The complaint must include complainant's name, nature of the complaint, and desired resolution.
- **Acknowledgment:** The complaint will be acknowledged in writing within five (5) working days.

5.2. Investigation Procedure

- **Initial Review:** The Board Chair, in consultation with the Executive Principal and/or Company Secretary will determine whether the complaint falls within the scope of the Governance 2-1 Responsible Persons Policy and this Framework.
- **Formation of an Investigation Panel:** If necessary, a panel of impartial members will be appointed.
- **Fact-Finding:**
 - Interviews with involved parties
 - Review of relevant documents
 - Consultation with witnesses if applicable
- **Deliberation & Decision:**
 - Findings are evaluated against governance policies, NESA compliance requirements, and Christian principles.
 - A resolution is proposed and documented.
- **Communication of Outcome:** A written response detailing the decision and any remedial actions will be provided within 30 working days.

5.3. Appeals Process

If dissatisfied, the complainant may appeal to the Board within 14 days of receiving the decision. The Board will review the appeal and provide a final resolution within 30 days.

5.4. Record-Keeping and Reporting

- All complaints and resolutions will be documented securely.
- The Board will review trends to improve governance policies and accountability.
- Compliance with NESAs reporting requirements will be maintained.